Serial No.: 09/686,516
Attorney Docket No.: BL055-GN004
Amendment

REMARKS

Claims 2, 4, 5, 13, 14, 40, 41, 49, and 50 are currently pending in the Application. Claims 6-11, 15-38, 42-47, and 51-74 have been canceled without prejudice pursuant to the Examiner's restriction requirement. Claims 1, 3, 12, 39, and 48 have also been canceled without prejudice by the Applicant. Claims 2, 4, 5, 13, 40, 41, and 49 have been amended. Claims 14 and 50 remain in their original form. Reconsideration of the Application is respectfully requested.

I.   Rejections Under 35 U.S.C. § 112

Claims 3-5 and 12-14 stand rejected under the second paragraph of 35 U.S.C. § 112 for indefiniteness, allegedly for uncertainty whether these claims refer to mere software or software expressly executed by hardware (Office action, p.2-3).

Claims 3 and 12 have been canceled, thereby rendering the rejection moot as to those claims.

Claim 4 has been amended to make abundantly clear that the each of the message collector, message categorizer, and data analyzer is implemented by or with the assistance of a computer or a computerized device or system. This amendment leaves no doubt that the claim is directed to a system adapted to perform the specified functions. Additionally, claim 4 has been amended to include a storage device as a claim element that contains the database. With this amendment, the claim now expressly recites at least two hardware elements. Accordingly, claim 4, as amended, is no longer indefinite.

Claim 5 depends from claim 4 and therefore includes all the elements of claim 4. Accordingly, for the same reasons stated above, claim 5 is no longer indefinite.

Claim 13 has likewise been amended to make abundantly clear that the each of the message collector, message categorizer, and data analyzer is implemented by or with the assistance of a computer or a computerized device or system. This amendment leaves no doubt that the claim is directed to a system adapted to perform the specified functions. Additionally, claim 13 has been amended to include a storage device for storing the messages. With this amendment, the claim now expressly recites at least two hardware elements. Accordingly, claim 13, as amended, is no longer indefinite.

{W0423226.2}   6

Serial No.: 09/686,516
Attorney Docket No.: BL055-GN004
Amendment

Claim 14 depends from claim 13 and therefore includes all the elements of claim 3. Accordingly, for the same reasons stated above, claim 14 is no longer indefinite.

For the foregoing reasons, Applicant respectfully requests that these rejections be withdrawn.

II.   Rejections Under 35 U.S.C. § 101

Claims 2-5, 12-14, 39, 41, and 48-50 stand rejected under 35 U.S.C. § 101 as being allegedly directed to non-statutory subject matter. For the reasons set forth below, these rejections should be removed.

Claims 3, 12, 39, and 48 have been canceled, thereby rendering the rejection moot as to those claims.

Claims 2, 4, 13, 41, and 49 have been amended to make abundantly clear what was previously implicitly clear: that the steps of the method and components of the system are implemented by or with the assistance of a computer or a computerized device or system. With this amendment, there can be no question that technology is called upon to carry out the invention in a non-trivial way. Additionally, claims 4 and 13 have been amended, as discussed above, such that they now clearly recite at least two hardware elements. Applicant submits that these claims are now in condition for allowance. Claim 5, 14, and 50 depend from claims 4, 13, and 49, respectively, and are therefore allowable for the same reasons.

Applicant respectfully requests that the rejections under 35 U.S.C. § 101 be withdrawn.

III.   Rejections Under 35 U.S.C. § 102(b)

Claims 1 and 2 stand rejected as allegedly being anticipated by the eWatch website service, as archived on May 22, 1998.

Claim 1 has been canceled, thereby rendering the rejection moot as to that claim.

Independent claim 2 is directed to a method for collecting and analyzing electronic discussion messages; wherein the method comprises the steps of: (a) collecting a plurality of message information from a plurality of pre-determined electronic

Serial No.: 09/686,516
Attorney Docket No.: BL055-GN004
Amendment

discussion forums; (b)storing the plurality of message information in a central data store;
(c) categorizing the message information according to a plurality of pre-determined rules;
(d) assigning an opinion rating to the plurality of message information based on a
plurality of pre-determined linguistic patters and associative rules; (e) collecting a
plurality of objective data from a plurality of objective data sources; (f) analyzing the
message information and the objective data to identify trends in the pattern of behavior in
pre-determined markets and the roles of participants in electronic discussion forums; and
(g) generating reports for end-users based on the results of the analyses performed by the
present invention.

Element (d) of claim 2 requires "assigning an opinion rating to the plurality of
message information based on a plurality of pre-determined linguistic patterns and
associative rules." The Office action contends that the step of assigning an opinion rating
to each message is taught by eWatch which, according to the Office action, identifies
both positive and negative opinions toward an entity (Office action, p.6). The cited
portions of the eWatch reference, however, do not support this assertion, and a review of
the archived eWatch materials does not reveal any mention of identifying positive
opinions. The eWatch reference explains that eWatch can search messages for certain
keywords provided by a user, such as "angry" and "boycott" (eWatch reference, p.23),
but eWatch does not analyze and rate different opinions expressed in the messages.
Furthermore, eWatch does not teach the use of "pre-determined linguistic patterns and
associative rules" to identify opinions expressed in messages; eWatch simply finds
messages that contain certain keywords (such as "angry" and "boycott") specified by the
user. Accordingly, step (d) of claim 2, which requires "assigning an opinion rating to the
plurality of message information based on a plurality of pre-determined linguistic
patterns and associative rules," is not taught by eWatch.

For the foregoing reasons, claim 2 is in condition for allowance, and Applicant
respectfully requests that the rejection be withdrawn.

{W0423226.2}   8

Serial No.: 09/686,516
Attorney Docket No.: BL055-GN004
Amendment

IV.   Rejections Under 35 U.S.C. § 103(a)

Claims 3, 4, 12-14, 39, 40, and 48-50 stand rejected as allegedly being obvious from the eWatch reference in view of the CyberSleuth reference. Claims 5 and 41 stand rejected as allegedly being obvious from the eWatch reference in view of the CyberSleuth reference in further view of U.S. Patent No. 6,067,539 ("Cohen").

Claims 3, 12, 39, and 48 have been canceled, thereby rendering the rejections moot as to those claims. Claims 4, 13, 40, and 49 have been rewritten in independent form, incorporating the elements and limitations of their base claims.

A.   Claims 4 and 5

Claim 4, as amended, is directed to a system for processing message traffic in a plurality of electronic discussion forums, comprising: a message collector for collecting messages from the plurality of electronic discussion forums; a message categorizer for processing the messages based on a series of topics; and a data analyzer for tracking a plurality of pseudonyms posting in the plurality of electronic discussion forums based on the processing of the messages; wherein the message collector communicates with a database storing configuration information for the plurality of electronic discussion forums, thereby enabling the message collector to collect messages corresponding to a plurality of message formats or communications protocols.

Claim 4 requires "a database storing configuration information for the plurality of electronic discussion forums." The Office action contends that storing configuration information for different discussion forums, including multiple message formats and communications protocols, is taught by eWatch (Office action, p.8). In support of this contention, the Office action cites eWatch's ability to download and search messages from a variety of online services, including CompuServe, America Online, Prodigy, and Microsoft Network. This, according to the Office action, implies that eWatch can handle different message formats and communications protocols. eWatch's ability to download and search messages from a variety of online services, however, is insufficient to support the inference that eWatch can handle different communications protocols. The reference simply does not support this feature, especially the feature of *using configuration information stored* about the discussion forums to enable the use of different

{W0423226.2}   9

Serial No.: 09/686,516
Attorney Docket No.: BL055-GN004
Amendment

communications protocols, as required by claim 4. This data-driven message collection

system of claims 4 and 5, which employs stored configuration information to enable

messages corresponding to a plurality of message formats or communications protocols

to be collected and analyzed, is not taught by eWatch. Because this element is absent

from the cited references, claim 4 is in condition for allowance.

Claim 5 has been amended to depend from claim 4 and is therefore allowable for

the same reasons stated above.

B.   Claims 13 and 14

Claim 13, as amended, is directed to a system for processing message traffic in a

plurality of electronic discussion forums, comprising: a message collector for collecting

messages from the plurality of electronic discussion forums; a message processor for

processing the messages according to a series of topics, wherein the message processor

processes a message to compute a relevance of the message to at least one topic from the

series of topics; and a data analyzer for tracking a plurality of pseudonyms posting in the

plurality of electronic discussion forums based on the processing of the messages;

wherein the message processor processes the messages to compute an opinion for the

message based on a plurality of pre-determined linguistic patterns and associative rules

according to the at least one topic.

Claim 13 requires the limitation that "the message processor processes the

messages to compute an opinion for the message based on a plurality of pre-determined

linguistic patterns and associative rules according to the at least one topic." As discussed

above with respect to claim 2, this step of computing an opinion rating using pre-

determined linguistic patterns and associative rules is not taught by the eWatch reference.

Accordingly, for the same reasons discussed above, claim 13 is in condition for

allowance.

Claim 14 depends from claim 13 and is therefore allowable for the same reasons

stated above.

C.   Claims 40 and 41

Claim 40, as amended, is directed to a method for processing message traffic in a

plurality of electronic discussion forums, comprising the steps of: collecting messages

Serial No.: 09/686,516
Attorney Docket No.: BL055-GN004
Amendment

from the plurality of electronic discussion forums; processing the messages based on a series of topics; tracking a plurality of pseudonyms posting in the plurality of electronic discussion forums based on the processing of the messages; and storing configuration information for the plurality of electronic discussion forums in a database, and wherein the step of collecting messages comprises collecting messages corresponding to a plurality of message formats or communications protocols.

Claim 40 requires the step of "storing configuration information for the plurality of electronic discussion forums in a database . . . corresponding to a plurality of message formats or communications protocols." As discussed above with respect to claim 4, this feature is not taught by the eWatch reference. Accordingly, for the same reasons discussed above, claim 40 is in condition for allowance.

Claim 41 has been amended to depend from claim 40 and is therefore allowable for the same reasons stated above.

D.   Claims 49-50

Claim 49, as amended, is directed to a method for processing message traffic in a plurality of electronic discussion forums, comprising the steps of: collecting messages from the plurality of electronic discussion forums; processing the messages according to a series of topics and computing a relevance of the messages to at least one topic from the series of topics; and tracking a plurality of pseudonyms posting in the plurality of electronic discussion forums based on the processing of the messages; wherein the processing step further comprises the step of computing an opinion for the message based on a plurality of pre-determined linguistic patterns and associative rules according to the at least one topic.

Claim 49 requires the step of computing an opinion rating using pre-determined linguistic patterns and associative rules. As discussed above with respect to claims 2 and 13, this step is not taught by the eWatch reference. Accordingly, for the same reasons discussed above, claim 49 is in condition for allowance.

Claim 50 depends from claim 49 and is therefore allowable for the same reasons stated above.
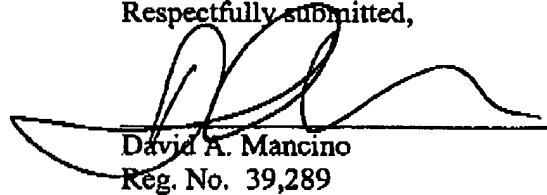
Serial No.: 09/686,516
Attorney Docket No.: BL055-GN004
Amendment

V.   Conclusion

In light of the foregoing, it is respectfully submitted that claims 2, 4, 5, 13, 14, 40, 41, 49, and 50, now pending as amended, are distinguishable from the references cited, and in condition for allowance. Reconsideration and withdrawal of the rejections of record is respectfully requested.

If the Examiner wishes to discuss any aspect of this response, please contact the undersigned at the telephone number provided below.

Respectfully submitted,

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{W0423226.2}   12